

## **Special Education Advisory Panel Meeting Minutes**

Office of Public Instruction

1300 11th Avenue Conference Room, Helena

April 24-25, 2008

Members in Attendance: Terry Galle (Acting Chairperson), Sharon Lindstrom, Ken Miller, Carroll DeCouteau, Susan Gunn, Dave Mahon, Samantha Hendricks, Terry Teichrow, Jackie Emerson (Thursday), Denise Herman (Thursday)

Excused Members: Barb Rolf, Ron Fuller, Coral Beck, Amy McCord, Wanda Grinde

Non-Members in Attendance: Tim Harris, Bob Runkel, Dick Trerise, Marilyn Pearson, Francisco Román, Sara Casey, Anne Rainey, Lisa Smith, Jenine Synness, Marlene Wallis, Floy Scott, Tara Ferriter-Smith, Judy Snow, Pete Carparielli, Rusty Harper

### **Thursday, April 24, 2008**

Acting Chairperson Terry Galle called the meeting to order at 8:30 a.m. The Panel members and guests introduced themselves. Chairperson Galle requested that the Panel members review the Proposed Agenda. Following review of the Proposed Agenda, Dave Mahon moved to accept the Proposed Agenda, Ken Miller seconded the motion and the motion passed. The January 17-18, 2008, meeting minutes were reviewed and Susan Gunn moved to accept the minutes and Denise Herman seconded the motion. The motion passed and the minutes were approved as written.

### **OPI Report**

#### **AIM**

Bob Runkel provided a progress report on the Achievement in Montana (AIM) electronic student information system. He said that User Acceptance Testing (UAT) for the Special Education Product in AIM should begin within a couple of weeks. He reviewed the overall progress of the project going back three years. Bob noted that additional funding was provided by the legislature to include additional features for the program. These features are included in the "Montana Edition." The additional features include improved functionality of the security of the program allowing districts to manage teacher access to maintain student privacy in a manageable fashion.

Tentatively, UAT will begin in a couple of weeks for the Montana Edition and the Special Education product. This will last a couple of weeks and be followed by testing in pilot schools in late May. This testing is also expected to last a couple of weeks. This will allow for "massaging" of the product over the summer and retesting of the changes to the product with the same pilot schools late in the summer. In October, it is expected that the product roll-out will begin in regional areas and come with two sets of trainings, first the Montana Edition and then the Special Education product. Bob explained to the panel that the Special Education product roll-out included training to support to teachers.

Dick Trerise gave a quick overview of feedback he is getting from school districts and MASS meetings about their frustration from the repeated delays in the AIM product. However, he noted that in just the last two or three months, Infinite Campus has made significant progress with the Special Education product.

Anne Rainey also stated that part of what is taking so long now is matching the editor screens to the current OPI Special Education forms to lower the learning curve for teachers and to make the data collection as complete as possible.

Bob reviewed a January Infinite Campus User Group meeting and an April webex meeting that brought together several states (MT, SD, KY, and the Bureau of Indian Education) that are using the product. The purpose of these meetings is to create a consensus to influence Infinite Campus and Montana has been the leader in this effort.

Bob also answered questions about AIM informing the Panel that all Special Education forms would be in AIM and that the timeline, if all goes well, is to have Child Count done exclusively with AIM by December 1, 2010.

### Higher Education Consortium

Ken Miller gave the panel an overview of the history of the Higher Education Consortium in Montana and the work that is being done now. In the past, some of the things the Consortium has done are comparability of courses studies, reviewed transferability of courses, developed syllabi for accommodating students with disabilities, and collaborated with MPRRC and John Vanderbilt University.

The Consortium is holding a conference in May. It will include a 2-day workshop on IRIS (Internet Reporting Information System) – an interactive training that can be used by higher education and college students or for inservices for teachers. The Panel expressed interest in having a demonstration on IRIS at a future meeting.

Bob Runkel noted the Higher Education Consortium is very unique among states and also expressed how beneficial he believed the IRIS product to be and that it was potentially beneficial to everyone involved with individuals with disabilities.

### Legislative Proposals

Bob reviewed the legislative process with the Panel. He explained that it takes approximately one year of advance planning to get a bill to the legislature. He also explained the different types of legislative bills and the likelihood of getting each type to pass through the legislature.

Tim Harris reviewed with the panel the following specific proposals that are being put in front of the 2009 Montana Legislature.

The OPI will ask for spending authority for federal funds for FY 2010 and FY 2011. The Montana Legislature must approve agency expenditures of federal funds and must grant agencies the authority to spend and "flow-through" money to schools.

House Bill 2 (Appropriations Bill) – for approximately the last 10 years, the OPI has requested approval of the legislature to insert language in HB 2 to give authority to OPI to distribute leftover funds for education costs of instate residential treatment programs to schools to serve students with significant physical or behavioral needs. This permissive language will again be requested.

The legislature will be asked to increase the Hearing Conservation Program by 3 percent annually to cover inflationary costs. This is called a "present law adjustment" and allows the program the funding to maintain services at current levels.

Bob Runkel explained a new proposal that the OPI was asking for that would develop five Intermediate, or Regional, Service Units. They would incorporate three existing tech centers and probably operate in the five existing CSPD regions. He did tell the panel that because this is a first-time proposal for a new concept, it will be challenging to gain approval of the legislature. The new proposal includes funds to employ three FTE in each unit. One staff would be primarily administrative infrastructure for the region and supporting such things as needs assessments and possibly other regional priorities such as shared administrative or curriculum work. The other staff would be special needs consultants for serving students with autism and technology support to schools.

### RTI

Tara Ferriter-Smith reviewed the RTI project with the Panel. She said the final Think Tank meeting would be held on May 12, 2008, and the RTI Framework Manual will be finalized and published. From the Think Tank, a smaller Steering Committee has been formed that will meet regularly.

Tara told the panel that grades K-6 are the current focus of RTI because that is where the research is. She said RTI is based on assessments, research-based instruction, parent involvement, targeted instruction, data-based decision making and making all kids everyone's responsibility.

Tara told the panel that numerous trainings are coming, training modules are in development and there will soon be a call out for cohort schools. Schools involved in the cohort will be assigned a consultant that will provide on-site support and professional development monthly. In addition these schools will receive ongoing professional development for the teachers.

Tara mentioned that there has been collaboration with the RTI project and the Special Education compliance group. A guidance document has been developed to help schools understand the documentation needed when a student is being referred for special education services for a specific learning disability using the RTI process. Other guidance documents are currently being developed as well.

### Grant Research Partnerships

Judy Snow, the OPI State Assessment Director, told the panel that two research-based grants had been received in the amount of \$3 million to develop modified achievement standards. These tests will fill a gap for a certain population of kids in which the CRT-Alt is not appropriate and the regular CRT is too hard.

She gave a letter to the panel that provided a time-line of research and development activities that they are asking for school participation in. Dick commented that it would be important for schools to know that for the IEP analysis portion of the research that a researcher is doing it (not a monitor).

Ken Miller asked why the testing was only being developed for reading and math and not, for instance, science. Judy responded by saying that, at this point, science does not factor into AYP and when asking for the grant, they only asked for reading and math.

Sharon Lindstrom asked why reading was not included at the 10<sup>th</sup>-grade level and Judy responded by saying it was only an 18-month grant and, quite simply, time was limited, but it was possible that could be done with another grant.

### Disproportionality – Billings

Bob Runkel circulated a letter received from the Billings School District and a letter that Bob wrote to OSEP regarding concerns with the procedures the OSEP requires of states when analyzing data concerning significant disproportionality. He explained how Billings High School had been identified as having a disproportionate number of Indian students in Special Education and how it impacts the school district's funding. He told the Panel the Billings High School had only identified two out of the 86 Special Education students who are American Indian in their district. All of the other American Indian students with disabilities had been identified by "feeder" schools. When disproportionality is established, the law requires 15 percent of special education funds to be moved to general education for early intervention. But, because the Billings High School did not actually identify the majority of students, this sanction would not impact the issue within the school.

No response has been received from OSEP to these letters, but when one is received the Panel will be updated.

### Other

Pete Carparielli introduced himself to the panel. He has been at the OPI for three weeks and is heading up the High School Initiative project.

### **Joint meeting of the State Special Education Advisory Panel and the State Comprehensive System of Personnel Development (CSPD) Council**

The Panel met with the CSPD Council at the Park Plaza Hotel for the afternoon session.

### **Friday, April 25, 2008**

Acting Chairperson Terry Galle opened the morning session asking for remarks and announcements. There were no remarks or announcements; therefore, the meeting continued.

### The OPI Federal Liaison and State and National Relations Up-Date

Dick Trerise introduced Rusty Harper, the OPI Federal Liaison. His position at the OPI is to lobby at the federal level. Rusty and Linda McCulloch were recently in Washington, D.C. They met Margaret Spellings, U.S. Secretary of Education.

Rusty shared with the Panel Montana's Statement on Reauthorization of the Elementary and Secondary Education Act (ESEA). He noted that the statement represents a wide cross section of the Montana education community. Rusty stated that the representation does not think there is

time in this election year for Congress to consider all the changes needed to be made to the ESEA, but Montana wants to go on record about the major issues that must be addressed when the ESEA is reauthorized to fix problems caused by No Child Left Behind (NCLB).

He said that there are three intents of NCLB that were valuable: student assessment to provide data; emphasis on parental involvement; and attention to subgroups of students. He also said that there are at least seven parts of NCLB that harm the ability of public schools to teach children well: (1) The 100 percent proficiency target by 2014 (must be eliminated). If not eliminated, it will make every public school a "failure," without helping individual students. (2) Reading and mathematics are important, but multiple measures are needed. (3) The "highly qualified teacher" federal rules create problems without improving education. (4) the NCLB has changed local control to federal control. (5) The NCLB funding is widely acknowledged as insufficient to meet the mandates of the law. (6) The Adequate Yearly Progress (AYP) structure, with its escalating totals, focuses on subgroups with unhealthy results. (7) The NCLB "solutions" for schools that fail to meet AYP do not work in Montana.

Rusty stated that for the above reasons, Montana does not support reauthorizing No Child Left Behind, but instead supports a reauthorization next year of ESEA, incorporating the following common sense guidelines: (1) Eliminate the 100 percent proficiency goal. Make any goals realistic. (2) Allow states to implement multiple measures of success. (3) Return the responsibility for determining "highly qualified teachers" to the states. (4) Put local school boards back in charge of public education in Montana. (5) Fully fund helpful federal programs like IDEA. (6) Remove the AYP structure of labeling schools as failures and doing so because of the underperformance of subgroups of students. (7) When there are consequences for poor performance, make them helpful for improving schools rather than the opposite. Outside of the Framework of ESEA. (8) Use other federal and state resources to attack the sources of poverty at the root, including active promotion of high-quality education, community economic development and working with tribal governments, where appropriate, to bring cultural forces to bear on the issues.

### Center for Early Literacy Learning

Dan McCarthy spoke briefly about the Center for Early Literacy Learning (CELL) project. When he reviewed the data from the Preschool Outcomes Indicator (Number 7 on the State Performance Plan), Dan saw that early literacy and language deficits were more significant than behavioral deficits. More important, children with disabilities showed improvements related to early literacy and language during the course of their annual IEPs, often reaching a level of comparability to same-age peers.

Special education teachers and speech and language pathologists frequently ask for training, technical assistance, recommended practices, and general guidance aimed at improving children's early literacy. They look for the connection between preschool activities and success in kindergarten that is generally measured by the Dynamic Indicators of Basic Early Literacy Skills (DIBELS). To meet this need, the Office of Public Instruction participates in this national technical assistance project that will put high-quality, evidence-based, scientifically validated practices into the hands of teachers, related service providers, early interventionists, Head Start personnel, and other early childhood educators. Parents, too, are included in the group of early childhood experts who will have ready access to the best evidence-based practices available.

The CELL project is a nationwide project, supported by the U.S. Department of Education's Office of Special Education Programs, whose purpose is to develop a web-based warehouse of best practices and put that information in the hands of those who work with young children, especially young children with disabilities. Montana's Comprehensive System of Personnel Development (CSPD) is coordinating the CELL project throughout the state through its Early Childhood Partners for Professional Development committee. Dan McCarthy is a member of the CELL project's National Advisory Board.

#### Data Unit Projects Up-Date

Anne Rainey presented an up-date for the Data Unit. The Unit is fully staffed. The duties have been divided between Anne Rainey, Lisa Smith and Floy Scott. Lisa will handle all data collection, which includes child count, school discipline, exiting, assessment, special education personnel and dispute resolution; Floy does the State Performance Plan (SPP), the Annual Performance Report (APR), Levels of Determination, District Public Reporting, and Disproportionality Calculations. Anne will do the Part B Allocations, Maintenance of Effort and Achievement in Montana (AIM). Jenine Synness is also involved in the Data Unit, along with her position within the IDEA School Improvement Unit.

Lisa and Jenine will attend the OSEP Part B Data Manager's Meeting in Arlington, Virginia, June 7-11, 2008. Attendance at the meeting will ensure a better exchange of critical information between the monitoring unit and the data unit. The Data Unit will be able to report better quality data to the OSEP, ensuring continued compliance with federal regulations. Lisa will also attend the EDFacts Coordinators' Meeting in Washington, DC, prior to the OSEP Part B Data Meeting.

#### SPP/APR Initial Response and Actions

Floy Scott reported on the revisions to the SPP and the APR report for FY 2008. She noted that revisions were made to the measurement of Indicator 14—Post-School Outcomes, which then required revisions to the proposed targets. When calculating percent of youth with disabilities competitively employed and/or enrolled in postsecondary education, the denominator should not have included nonresponders to the survey. The revision ensures the denominator did not include survey non-respondents. Because the revised measurement affected the baseline, targets were revised and clarifying language added to explain the rationale used for determining the targets. Clarifications to the FFY 2006 SPP/APR Documents were provided for Indicator 9—Disproportionate Representation as a Result of Inappropriate Identification; Indicator 11—Child Find/60-Day Timeline; and Indicator 13—Postsecondary Transition.

Following Floy's presentation and Panel discussion, Ken Miller moved that the Panel support the revisions to the SPP and APR Report for FY 2008; Terry Teichrow seconded the motion and the motion passed.

#### Career, Technical and Adult Education Up-Date

TJ Eyer, Division Director, Career, Technical and Adult Education, presented an up-date for the Panel. The Panel received handouts of a PowerPoint presentation and a chart of the Montana Career Fields and Clusters Model. TJ explained the Big Sky Pathways 101—what they are; why they are being implemented; who will develop the Pathways; and what is in it for the student. He explained that they were proposed by the U.S. Department of Education, then developed and adopted by the National Association of State Directors of Career Technical Education. There are

16 career clusters, which are programs of studies. A career cluster is a list of occupations that fall under the particular career field. Montana's clusters are: Marketing and Sales; Management and Administrative Services; Hospitality and Tourism; Finance; and Information Technology. The Big Sky Pathways provide career planning; offer options for students to experience all aspects of an industry; and assists students with transition.

TJ Eyer asked the Panel members to contact him if they would be interested in serving on the ***Pathway Development Team***. Contact Information: T.J. Eyer; teyer@mtgov; 406-444-7915.

### Public Comment

There were no public comments.

### Agenda Items for Next Meeting

Level of Determination  
Disproportionality  
Higher Education Consortium  
Highly Qualified Teacher  
New Personnel  
AIM  
Demonstration of IRIS  
Other Standard Issues  
Election of Officers

### Adjourn

Terry Teichrow moved to adjourn the meeting, Sharon Lindstrom seconded the motion and the motion passed. The Panel meeting adjourned at noon.

I would like to thank Jenine Synness for taking the minutes for the Panel meeting on Thursday and for taking such good care of the Panel members.

Marlene

